

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6704 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MOHAMAD RAFIK SHAIKH

Versus

GUJARAT ELECTRICITY BOARD AND OTHERS

Appearance:

MR PH PATHAK for Petitioner

MR MD PANDYA for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 22/07/97

ORAL JUDGMENT

#. On the request of counsel for the parties, the matter is taken up for final hearing today.

#. Rule. Shri M.D.Pandya waives service of Rule on behalf of respondents.

#. The counsel for respondents Shri M.D.Pandya produced on record of this case, letter of the respondent

addressed to him dated 23rd February 1995, and submitted that the petitioner has been absorbed in the services of Board and as such, this Special Civil Application has become infructuous.

#. The learned counsel for the petitioner though does not controvert the aforesaid statement made by the learned counsel for respondents, but he contended that the petitioner would have been absorbed in services, but his right of absorption from the date from which his juniors were absorbed in accordance with G.S.O. No.446 still remains to be decided by this Court.

#. I have given my thoughtful considerations to the aforesaid statements made by counsel for the parties. In view of the letter of respondents dated 23rd February 1995, addressed to their counsel, substantial grievance of the petitioner of his absorption in the services of the Board does not survive. Still if any grievance remains of regularization of his service from deemed date, then the petitioner is at liberty to make a representation to the respondents and in case such representation is made, the respondents shall decide the same within reasonable time. However, where grievance of the petitioner is not accepted, a reasoned order may be passed.

#. In the result, this Special Civil Application and Rule stand disposed of in aforesaid terms with no order as to costs.

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